

**DEVELOPMENT SERVICES DEPARTMENT  
ADMINISTRATIVE REVIEW**

**NOTICE OF DECISION**

**TO:**

Andrew Michael Construction  
Attention: Robert P. Wenzl  
P.O. Box 6127  
Bellevue, WA 98008-6127

Core Design, Inc.  
Lafe Hermansen  
Lindsey Solorio  
14711 NE 29<sup>th</sup> Place, Suite 101  
Bellevue, WA 98007

Cliff Williams, PE  
Development Management Engineers  
5326 SW Manning Street  
Seattle, WA 98116

**SUBJECT:**

**Inneswood Estates Short Plat**

**APPLICATION:**

SP13-00002 (Short Plat Subdivision)

**REFERENCE:**

PRE13-00003 (Preliminary Plat)

**DATE OF DECISION:**

September 19, 2014

**REQUEST:**

Application for Short Plat approval to subdivide a parcel of property containing 456,983 square feet (10.49 acres) that has split zoning on it, "SF-S" (Single Family Suburban) on the upper western part on the site and "MUR" (Mixed Use Residential) on the lower eastern portion of the site. The short plat will eliminate the split zoning on the property and established the exact zoning boundary for the Single Family Suburban residential and Mixed Use Residential. The proposal also includes a pedestrian trail through the critical area/open space tracts connecting the western Parcel A to the eastern boundary along Newport Way NW.

The proposal will subdivide the 10.49 acre site into 3 development parcels and 2 critical area/open space tracts.

**LOCATION:**

The project site address is 905 Newport Way NW. The site is located between NW Inneswood Place on the western side and Newport Way NW on the eastern side. See location with vicinity

map, Exhibit 3. The configuration of the short plat lots and tracks is illustrated on the short plat drawing as revised with Exhibit 19.

**PARCEL NO.** 282406-9011

**SUBAREA:** The site is within 2 subareas designated by the Comprehensive Plan. The upper portion of the site is located within the "Squak Mountain" subarea and the lower portion of the site is located with the "Gilman" subarea.

**SITE AREA:** 456,983 square feet (10.5 acres)

**COMPREHENSIVE PLAN DESIGNATION:**

*Upper portion of property:* "Low Density Residential" by the City's Comprehensive Plan's Use Designation Map, as amended by Ordinance 2706, effective January 20, 2014.

*Lower portion of property:* "Multifamily Residential" by the City's Comprehensive Plan's Use Designation Map, as amended by Ordinance 2706, effective January 20, 2014.

**ZONING:** The site currently has spit zoning on it; SF-S and MUR.

*Upper western portion of site:* "SF-S" (Single Family Suburban). The minimum lot size in the SF-S zone is 9,600 square feet.

*Lower eastern portion of site:* "MUR" (Mixed Use Residential). No minimum lot size in the MUR zone.

**DECISION MADE:** On September 19, 2014, the Development Services Department conditionally approved the application for the Inneswood Estates Short Plat. Approval of the application is based on the application submittal made on May 1, 2013 and additional information received thereafter, and is subject to the following conditions:

1. The Applicant shall comply with the SEPA Mitigated Determination of Non-Significance issued on August 20, 2014. Those 5 mitigation measures are:
  - (1) All cited geotechnical design requirements, recommendations, and development practices specified in the Icicle Creek geotechnical reports shall be followed.
  - (2) Detailed design of structures and retaining walls shall be reviewed for compliance with code criteria in IMC 18.10.580, prior to issuance of building or construction permits.
  - (3) The applicant shall submit a geotechnical report evaluating specific building plans and grading plans prior to the issuance of construction and building permits. The geotechnical report shall follow City of Issaquah Development Services "Soils Report Requirements." A third-party independent review of the geotechnical report may be required at the applicant's expense.

- (4) Clearing and grading activity shall be outside the critical root zone of retained trees. Approved tree protection measures shall be in place prior to any other construction or demolition activities. They may be installed in conjunction with limits of clearing and grading delineation.
  - (5) The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.
2. A mylar of the short plat shall be prepared for the recording of the short plat, including the following information on it: legal description, short plat drawing drawn to scale with street names, declaration, engineering stamp, approval signature blocks for Development Services Department, Department of Assessments, Property Owner, and Recorder's Certificate, etc. The short plat file number "SP13-00002" shall be placed onto the mylar sheet(s). Consult with the Development Services Department if needed for formatting and information that is to be shown on the final short plat mylar.
3. Following expiration of the appeal period of this Notice of Decision, a short plat mylar shall be provided to the Development Services Department for signature by the Development Services Department. Prior to the Director's signature, the mylar shall be signed and notarized by the owner.
4. Following mylar signature by the Development Services Department, the signed short plat drawing shall be provided by the applicant to the County for processing by the King County Department of Assessments and Recording with the King County Department of Records and Elections. The Short Plat shall not be deemed formally approved until so filed.
5. Following recording, 3 copies of the recorded Short Plat drawing shall be provided to the Development Services Department within ten (10) days of recording with the King County Department of Records and Elections.
6. One (1) electronic copy of the final plans shall be provided in a software format acceptable to the Public Works Department.
7. All new property corners of the lots shall have a rebar and cap set per current WAC guidelines for land surveys.
8. The new residential or commercial development associated with this short plat will have an impact on the parks, City roads, fire protection, and schools servicing this area as well as General Government and Police. The impact and mitigation fees for these items will be determined and due when building permits are issued for new development on each of those lots. Estimates of those impact fees are available from the Development Services Department.
9. New development on the lots must meet the development standards of the applicable Issaquah Land Use Code and Central Issaquah Development and Design Standards for the SF-S zone and the MUR zone, including floor area ratio, building setbacks, building heights, maximum impervious/pervious surface ratios and parking requirements.

10. Street improvements associated with the Inneswood short plat subdivision will be deferred and included with the major single family subdivision for the upper SF-S zoned portion of the property (review pending with Preliminary Plat No. PRE13-00003) and with the lower portion zoned MUR that will be reviewed and developed under a Site Development Permit.

#### **REASONS FOR DECISION:**

1. Issaquah Municipal Code (IMC) 18.04.400 of the land Use Code authorizes the Development Services Department to review the Short Plat through the Level 2 Review process (administrative review and approval). The Level 2 Review requires public notice to property owners within 300 feet of the site and a decision by the Development Services Department Director/Manager.
2. The site has split zoning on it, "SF-S" (Single Family Suburban) on the western half and "MUR" on the eastern half. The upper portion is proposed to be further subdivided into 10 single family lot and the lower portion which is zoned "MUR" (Mixed Use Residential) developed in multifamily.
3. The minimum lot size in the SF-S zone is 9,600 square feet according to the District Standards Table, IMC 18.07.360 (but may be reduced to smaller sized lots in accordance with the Density Credits table with IMC 18.10.450 when the site contains critical areas and buffers as this site does (steep slopes, 40%+).
4. The subject property is currently developed with a single family on the lower middle portion of the site that will eventually be removed for redevelopment of that portion of the site. Recording of the proposed short plat does not affect the current status of the single family house as it continues to meet the development standards with the new property lines that will surround it.
5. A Certificate of Transportation Concurrence was issued by the City on February 14, 2013 under Certificate No. CON13-00001 for the future single family plat at the top which was proposed then for 9 lots (and subsequently the Preliminary Plat was revised to 10 lots). Transportation Concurrence has not been processed for the 2 lower MUR zoned lots. That will be accomplished when development applications are received.
6. Tree retention is required for short plat subdivision under section IMC 18.12.1385. Tree retention is based upon caliper of significant trees to be retained, not the number of trees. In the SF-S zone, the tree retention requirement is 30% of the total caliper (dbh) of all significant trees in developable site area. In the MUR zone, the tree retention requirement is 25% of the total caliper (dbh) of all significant trees in site area. The project includes 2 critical area and open space tracts, identified as Tract A (3.52 acres) and Tract B (2.41 acres). There are sufficient areas outside of the steep slope critical areas within those 2 tracts to meet the City's tree retention requirements. Documentation of the tree inventory and density was conducted by Greenforest Incorporated Consulting Arborist and 2 reports dated March 15, 2014 and July 15, 2014 were provided to the City. Caliper retention is also referenced in the MDNS.

Based upon the significant trees on the site, the required Diameter Inches for the SF-S zone is 2,536 inches and 3,118 diameter inches will be retained (excess of 582 inches).

The required Diameter Inches for the MUR zone is 1,355 inches and 2,333 diameter inches will be retained (excess of 978 inches). All tree retention will occur in Tracts A & B. The tree retention reports are entered as Exhibits 11 and 12.

7. A determination was made that the Short Plat required a SEPA Environmental Checklist due to "Critical Areas" (steep slopes) present on the property. An Environmental Checklist was provided (Exhibit 20) and a Mitigation Determination of Nonsignificance (MDNS) issued under WAC 197-11-340(2) and 197-11-680(3)(a)(vii). Seven mitigation conditions were given. A 21-day combined comment/appeal period for the determination was provided between August 20, 2014 and September 10, 2014. The MDNS is entered as Exhibit 21. A separate Environmental Checklist will be required and determinations issued for the upper major plat single family subdivision and the lower multifamily development that has been proposed. No comments or appeals were received of the MDNS.
8. The site slopes from a high point of the site in the southwest corner at the elevation of 216 feet down to the low point of the site northeast of the existing house at an elevation of 68 feet. Steep slopes and critical areas of the property will be protected within Tracts identified on the short plat drawing as Tract A and Tract B that encompasses 258,063 sq. ft. (5.92 acres).
9. The proposal met the public notification requirements (for notice of application and public comment notice) for the Level 2 Short Plat review. Notice to property owners within 300 feet of the site was mailed on June 14, 2013, and a 14-day comment period was established that ended on June 28, 2013. No correspondence was received for the proposed short plat. The upper portion of the short plat zoned SF-S is proposed to be further subdivided under a Preliminary and Final Plat. Surrounding property owners have also been notified of the Preliminary Plat proposal and a Community Conference and a Neighborhood meeting have been held which did generate public comments for the preliminary plat proposal. The Preliminary plat will be heard by the Hearing Examiner and public comments with that proposal discussed then.
10. Street improvements: Street improvements are normally required to be constructed or bonded with short plat subdivisions, including half street improvements with driving lanes, parallel parking, curbs, gutters, sidewalks, landscaping, utilities and undergrounding of overhead power lines. The improvements and/or bonding associated with the street improvements for the short plat will be deferred and will be included with requirements for the preliminary plat subdivision of the SF-S upper portion of the property (file No. PP13-00003) and with the lower MUR zoned property when that area is developed.
11. Impact and mitigation fees are assessed at the time building permits are issued. The fees will need to be paid prior to issuance of the building permits for the new dwellings on the lots. No building permit applications are submitted at this time. Those impact and mitigation fees include: City Transportation Impact Fee, School Impact Fee, Parks Impact Fee, Fire Impact Fee, General Government Buildings Mitigation Fee and Police Mitigation Fee. Consult with the Development Services Department for an estimate of the impact fees that will be due with the issuance of Building Permits for new dwellings. Impact fees are not required for the short plat process.

- Transportation Impact Fee – Issaquah (reference Land Use Code: IMC 18.15)
- School Impact Fee (reference IMC 3.63)
- Parks Impact Fee (reference IMC 18.17)
- Fire Impact Fee (reference IMC 18.17)
- General Government Buildings Mitigation Fee (reference IMC 3.74)
- Police Mitigation Fee (reference IMC 3.74)

12. The City has determined that appropriate provisions are available or have been made for public health, safety, and general welfare. See section 12A below.
13. The Short Plat must meet the requirements of IMC 18.13.380 "Design Standards":
  - A. *Lands which the Planning Director/Manager has found to be unsuitable due to flood, inundation, or swamp conditions likely to be harmful to the safety, welfare and general health of the future residents, and the Planning Director/Manager considers inappropriate for development, shall not be subdivided unless adequate means of control have been formulated by the applicant and approved by the Public Works Director.*

Response: The property does not contain unsuitable area that is harmful to the safety, welfare and general health of future residents. The property contains steep slopes (40%+) that were identified as Critical Areas and have been reviewed with a geotechnical review. The steep slopes on the property will be contained within protected as of Tracts A and B. 50 steep slope buffers from the edge of the steep slopes will be allowed to be reduced to 10 feet plus the required 15-foot building setback from the edge of the steep slope buffer.

- B. *The applicant shall furnish a soil test if required by the Public Works Director. The Public Works Director shall determine whether control measures are warranted. The applicant shall be responsible for the design, installation and expense of any device or corrective measures subject to the approval of the Public Works Director.*

Response: A geotechnical report by Icicle Creek Engineers was prepared to evaluate geologic conditions on the site and allowed a reduction in the steep slope buffers from 50 feet to 10 feet, the minimum allowed by the City's critical areas regulations. The City conducted a peer review by Sub Terra, Inc. of the geotechnical report which concurred with the recommendations on the steep slope buffer reduction. The environmental determination on the SEPA checklist by the City required 3 conditions based on the geotechnical review of the steep slope study. Those conditions are noted in the SEPA MDNS and as conditions of the Inneswood short plat.

When construction building permits are made for the future single family houses and the proposed multifamily at the base of the property, soil reports will be required as part of that review process. Temporary erosion control measures will be required to be in place as part of that future construction.

- C. *All lots shall abut upon or have adequate access, by easement or private road, to a dedicated or deeded public right-of-way. In the event that an existing abutting public right-of-way does not meet the minimum width standards, additional right-of-way may*

*be required prior to approval of a short plat.*

Response: Vehicular access is available to all created lots. Parcel A will front along NW Inneswood Place. Parcels B and C will front along NW Newport Way. When Parcel A is further subdivided into single family lots, a new north-south roadway will be constructed in that subdivision and access to those new lots will be from both NW Inneswood Place and NW Newport Way. Dedication will be required when the new roadway is constructed.

- D. *The minimum land area for each lot shall be no less than the minimum allowed by this Code (District Standards Table, IMC 18.07.360) for the specific zone in which the proposed short subdivision is planned to be located, plus any additional area to be used for access easement and/or private roadway.*

Response: The "SF-S" (Single Family Suburban) zoning (upper portion of property) requires a minimum lot size of 9,600 square feet and a minimum lot width of 70 feet. The "MUR" (Mixed Use Residential) zoning (lower portion of property) does not have a minimum lot size or width. The proposed 3 lots (identified as Parcels A, B & C) and 2 critical area and open space tracts (identified as Tracts A & B) will contain the following square footages which are acceptable:

<u>LOTS/TRACTS</u>	<u>LOT AREA</u>	<u>LOT WIDTH</u>
Parcel A:	125,587 square feet (2.88 acres)	200 feet
Parcel B:	61,113 square feet (1.40 acres)	Not applicable
Parcel C:	12,220 square feet (0.28 acre)	Not applicable
Tract A:	153,087 square feet (3.51 acres)	Not applicable
Tract B:	104,976 square feet (2.41 acres)	Not applicable

14. IMC 18.13.390 "Required Improvements" states that the Planning Director/Manager shall determine that the following improvements are available for each parcel created by the short subdivision:

- (1) *Adequate water supply when necessary;*

Response: The property is adequately served by City water. A 12 inch and a 24 inch water line runs down NW Newport Way and an 8-inch water line runs down NW Inneswood Place.

- (2) *Adequate method of sewage disposal;*

Response: The property is adequately served by City sewer. An 8 inch sanitary sewer lines runs down Newport Way and an 8 inch sanitary sewer runs down NW Inneswood Place.

- (3) *Provision for appropriate deed, dedications and easements;*

Response: A 10-foot wide public easement is being provided for the purpose of a pedestrian trail connecting Parcel A (future single family plat at the top western side) to Newport Way through the open space/critical area Tracts A and B. A conceptual alignment of the trail is shown on the face of the short plat drawing. The final alignment

will be determined in the field to avoid impacts to existing trees and vegetation and to best accommodate the topography.

There are no deeds or dedications with the short plat.

(4) *Storm drainage improvements and storm sewers when necessary;*

Response: A 12 inch storm water line runs down NW Inneswood Place. There currently is no storm line in place fronting the site along Newport Way. Future storm water for the single family plat at the top of the hill and a proposed multifamily building at the bottom of the hill will be collected and routed through water quality/detention vaults on site.

(5) *Fire hydrants when necessary;*

Response: Adequate fire hydrants in the neighborhood are available to serve the short plat development. The nearest hydrants are located on both NW Inneswood Place and along NW Newport Way. The need for hydrants will be re-evaluated when the upper and lower portions of the site is developed.

(6) *Street and alley paving, and concrete curbs, gutters and sidewalks when necessary;*

Response: No additional Street and alley paving, and concrete curbs, gutters and sidewalks are necessary with the short plat. Those improvements will be included with the future development of the Inneswood short plat lots.

(7) *Street lights when necessary;*

Response: No additional street lighting is required for the short plat. Additional lighting will be addressed when the property is further developed for both the single family plat at the top and the multifamily at the bottom.

(8) *Adequate provisions for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.*

Response: The upper lot of the short plat (SF-S zoning) will be developed with 10 single family lots and will include a new street with driving lanes, parallel parking, sidewalks, lighting and landscaping. The development of those street improvements is being reviewed with the Preliminary Plat. The lower 2 lots (MUR zoning) will be developed with multifamily on the larger lot (development is unknown for the smaller of the lower lots) and street improvements built at that time to provide safe passage for walking to schools. Partial and temporary sidewalks are currently in place along Newport Way. Future city plans are for the rebuilding of the entire street.

Summary: The proposal meets the short plat requirements, 1 – 8 as discussed above.

15. IMC 18.13.390-B requires: All improvements shall be constructed in accordance with Chapter 12.04 IMC, Street Standards. All required improvements shall be bonded prior to recording of the short plat.

Response: No street improvements are proposed or required for the short plat. The street improvements will be constructed or bonded with redevelopment of the site.

16. IMC 18.13.390-C requires: Improvements not specifically mentioned in this chapter, but found necessary due to conditions found on the site by the Public Works Director, shall be required.

Response: Not applicable.

17. IMC 18.13.390-D requires: As-built plans of all public improvements as installed shall be required before the City will accept the improvements.

Response: Not applicable. As-built plans will be provided with the upper and lower sites of the property are developed.

18. IMC 18.13.390-E requires Based on the recommendation of the Public Works Director, the Planning Director/Manager may require survey and monumentation of any short plat.

Response: The approval of the short plat is conditioned that all new property corners of the lots have a rebar and cap set up per current WAC guidelines for land surveys. In addition, an electronic copy of the final plans is required to be provided in a software format acceptable to the Public Works Department.

19. The application and plans were routed to City Departments for review and comment. Those comments are incorporated into this Notice of Decision.
20. In accordance to IMC 18.13.400, all short plats shall be filed with the King County Department of Records and Elections and shall not be deemed formally approved until so filed. The filing of the short plat shall be the responsibility of the applicant. Every short plat filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the applicant. A copy of the recorded plat shall be returned to the Issaquah Permit Center within ten (10) days of recording along with an electronic copy in a format acceptable to the Public Works Department.

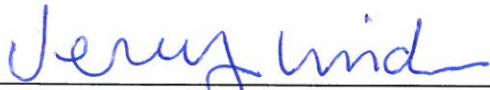
#### **TIME LIMIT OF DECISION:**

The final decision approving the Short Plat is valid for three years as specified by IMC 18.04.220-D, or as amended by the Issaquah Land Use Code.

#### **EXHIBIT LIST:**

1. Short Plat Application, SP13-00002, received 5-1-2013
2. Affidavit of Ownership, received 5-1-2013
3. Vicinity Map
4. Narrative description of short plat proposal, received 5-1-2013
5. Certificate of Transportation Concurrency, application CON13-00001, issued 2-14-2013

6. Geotechnical Engineering Report by Icicle Creek Engineers, Inc. dated May 14, 2012 and received 6-12-2013
7. Technical Memorandum, Deep-Seated Landslide Evaluation – Slope Stability Analysis, by Icicle Creek Engineers, dated 6-2-2014, received 6-11-2014
8. Title Report by First American Title Insurance Company, received 7-31-2014
9. Supplement Report 1 by First American Title Insurance Company, received 7-31-2014
10. Closure Calculations, received 7-31-2014
11. Tree Inventory and Density at Inneswood Place, report and map by Greenforest Inc., dated 3-17-2014 and received 4-25-2014
12. Amended Supplemental Report to Tree Inventory and Density at Inneswood Place [updated], by Greenforest Inc., dated 7-15-2014 and received 7-31-2014
13. Critical Area and buffer map, received 7-31-2014
14. Topography and Critical Areas Exhibit map, sheet 1 of 1, received 6-4-2013
15. Critical Area Exhibit map, sheet 1 of 1, received 4-25-2014
16. Short Plat map, sheet 1 of 1, received 5-1-2013
17. Short Plat map, sheet 1 of 1, received 4-25-2014
18. Short Plat map, sheet 1 of 1, received 5-1-2014
19. Short Plat map [updated], sheet 1 of 1, received 7-31-2014
20. Environmental Checklist, received 4-25-2014
21. SEPA Determination, MDNS, issued 8-20-2014



Jerry Lind, Senior Planner



Date Signed

SP13-00002, Inneswood Estates Short Plat, Notice of Decision 9-19-14

# VICINITY MAP

## Inneswood Short Plat

### 905 Newport Way NW

